

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)
)
 V.) CASE NO: 2:06-cr-014-WKW
)
 MOSES PENNIC, III)

NOTICE OF APPEAL

NOW COMES the Defendant, **Moses Pennic, III**, by and through undersigned counsel, and files this notice of appeal of the Judgment filed following his sentencing hearing in this matter on or shortly after July 20, 2007. The Defendant is in custody and has previously been found to be indigent. He is therefore entitled, pursuant to 18 U.S.C. § 3006A(d)(7), to proceed with this appeal *in forma pauperis* and without prepayment of fees and costs or security therefore and without meeting the requirements of 28 U.S.C. §1915(a).

See United States v. Osuna, 141 F.3d 1412, 1414 (10th Cir. 1998); *United States v. McKee*, 309 F.Supp.2d 1358, 1359 at n. 1 (M.D. Ala. 2004).

Respectfully submitted,

s/ Donnie W. Bethel
DONNIE W. BETHEL
Assistant Federal Defender
201 Monroe Street, Suite 407
Montgomery, Alabama 36104
Phone: (334) 834-2099
Fax: (334) 834-0353
E-mail:don_bethel@fd.org
IN Bar Code: 14773-49

CERTIFICATE OF SERVICE

I hereby certify that on July 23, 2007, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

K. David Cooke, Esquire
Assistant United States Attorney
One Court Square, Suite 201
Montgomery, Alabama 36104

Respectfully submitted,

s/ Donnie W. Bethel
DONNIE W. BETHEL
Assistant Federal Defender
201 Monroe Street, Suite 407
Montgomery, Alabama 36104
Phone: (334) 834-2099
Fax: (334) 834-0353
E-mail:don_bethel@fd.org
IN Bar Code: 14773-49